

MINUTES

NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

EDUCATION AND TRAINING COMMITTEE

November 16, 2016

The Education and Training Committee of the North Carolina Criminal Justice Education and Training Standards Commission met in Room 1826 of the Public Safety Training Center, Wake Technical Community College, in Raleigh, NC. Chairperson Robin Pendergraft called the meeting to order at 1:00 p.m.

Those in attendance were:

- *Robin Pendergraft, Attorney General of the State of North Carolina – Ex-Officio Member
- *Greg Baker, Secretary, Dept. of Public Safety – Ex-Officio Member
- *Lee Farnsworth, NC Law Enforcement Officers' Association
- *Steve Johnson, Appointment by the General Assembly – Speaker of the House
- *Tracy McPherson, Dept. of Community Colleges - Ex-Officio Member
- *Nathan Mizell, Jr., NC Law Enforcement Training Officers' Association
- *Charles Walston, Appointment by the Governor
- *Kenneth Mullen, N.C. Criminal Justice Association
- *Chris Blue, N.C. Police Executive Association
- *Ricky Parks, Appointment by the General Assembly – Speaker of the House
- *Bob Schurmeier, Director, State Bureau of Investigation

Visitors

Monica Shabo, Dept. of Public Safety/OSDT
Felicia Banks, Dept. of Public Safety/OSDT
Stephanie Freeman, NCLETOA/NCAOC
Robby Millard, Dept. of Public Safety/OSDT
King Thomas, Juvenile Justice

Staff

Trevor Allen, NC Criminal Justice Standards Division
Bill DuBois, NC Justice Academy
Jennifer Fisher, NC Justice Academy
Stacy Holloman, NC Justice Academy
Vicki Helms, NC Justice Academy
Mark Strickland, Director, NC Justice Academy
Tony Losada, NC Justice Academy
Gary Dudley, NC Justice Academy

*Committee Members

WELCOME/ROLL CALL

Chairperson Robin Pendergraft welcomed members and guests. The meeting was called to order and the roll was called. A quorum was present.

MINUTES

Commissioner Robin Pendergraft introduced the August 10, 2016 meeting minutes with an acceptance for the proposed **motion** from Commissioner Kenneth Mullen and a **second** from Commissioner Nathan Mizell, **motion carried**.

ELECTION OF VICE- CHAIR

Chairperson Robin Pendergraft opened the floor for Vice-Chair nominations. Commissioner Lee Farnsworth nominated Commissioner Steve Johnson with a second from Commissioner Greg Baker. There were no other nominations, Chairperson Pendergraft closed the nominations and called for a vote. Commissioner Steve Johnson was elected Vice-Chair of the Education and Training Standards Committee.

COMMISSION ACTION

ADMINISTRATIVE CODE – PROPOSED RULE REVISION

On behalf of the Criminal Justice Education and Training Standards Division Staff, Robert Overton, North Carolina Department of Justice, appeared before the Committee and presented the proposed rule change.

The request would require a rule change for the following rule:

- 12 NCAC 09C .0216 – Recommendation for General Instructor Certification

The purposed Administrative code 12 NCAC 09C .0216 current language allows the Department head of an agency authorization to sign off for an instructor. The administrative code revision is to have the current language amend to reflect the practice being followed by the commission staff, which only allows certified In-Service Training Coordinators or School Directors to sign recommendations for General Instructor Certifications. The current rule states that the agency head may sign recommendations as well. The request is for the rule amended to have the language be consistent with current practice.

Having approved the recommendation as presented, Commissioner Lee Farnsworth proposed a **motion** that the Commission authorize the Planning and Standards Committee to conduct a rule making hearing to amend rule ***12 NCAC 09C .0216- Recommendation for General Instructor Certification*** as follows:

- Remove the language “is” and add the language “shall be.”
- Remove the language “agency head” and add the language “In-Service Training Coordinator.”

With a **second** from Commissioner Steve Johnson, **motion carried**.

ADMINISTRATIVE CODE – BLET REVISION COMMITTEE

On behalf of the BLET Revision Committee, Jennifer Fisher, North Carolina Justice Academy, appeared before the Commission to propose a NC Administrative Code Revision, a title change to Interviews: Field and In-Custody (BLET:09G) based upon the recommendation of the BLET Revision Committee.

The request would require a rule change for the following rule:

- 12 NCAC 09B .0205 – Basic Law Enforcement Training

The BLET Revision Committee met on 10/7/16, recommended and approved the revision, a title change to Interviews-Field & In-Custody (BLET:09G). The committee proposed the change to Interviews. Ms. Fisher explained that little of the information related to interviews was being conducted while the subject was In-Custody.

Having approved the recommendation as presented, Commissioner Charles Walston proposed a **motion** that the Commission authorize the Planning and Standards Committee to conduct a rule making hearing to amend the rule **12 NCAC 09B.0205 – Basic Law Enforcement Training** as follows:

- Modify the language in paragraph (b), subparagraph (4), subparagraph (D) as follows:
 - Change the title “Interviews: Field and In-Custody” to “Interviews.”

With a **second** from Commissioner Steve Johnson, there was no other discussion, **motion carried**.

COMMITTEE ACTION

BLET REVISION COMMITTEE

On behalf of the BLET Revision Committee, Jennifer Fisher, North Carolina Justice Academy, requested approval for major revisions made to the following BLET lesson plan:

- “Crime Prevention” (BLET: 19F) – training objective changes, revisions made throughout the lesson plan, revised handouts and videos.

When the BLET Revision Committee met on 10/7/16 they recommended the revisions for consideration of the lesson plans for Crime Prevention (BLET:19F). The old materials discussed topics such as home, business security surveys, preparing written survey report, the role officer and citizen has in crime prevention, community-based prevention programs and the prevention of school violence. New material discusses various aspects such a personal safety, home safety, commercial business safety and prevention of school violence and various community based prevention programs and resources available. Additional information was added on how LEO and citizen can take a role in prevention of crime.

Commissioner Kenneth Mullins proposed a **motion** to accept the recommendation as presented, with a **second** by Commissioner Farnsworth, **motion carried**.

INFORMATIONAL ITEMS

The next item on the agenda for discussion will be Information Items for BLET. Commissioner Tracy McPherson questioned when these changes become effective. Mark Strickland clarified the Committee Action goes into effect January 1, 2017 and the Commission Action are for administrative code changes.

BLET REVISION COMMITTEE

On behalf of the BLET Revision Committee, Jennifer Fisher, North Carolina Justice Academy, briefed the Committee on minor revisions made to eight (8) of the BLET lesson plans. The minor revisions include correcting grammatical errors, updating and revision of current materials, statutory updates, and inclusion of a new video. Minor revisions were made to the following lesson plans:

- Arrest, Search and Seizure/Constitutional Law (BLET: 04W)
- Course Orientation (BLET: 01O)
- Criminal Investigations (BLET: 15R)
- Fingerprinting and Photographing Arrestees (BLET: 12O)
- First Responder (BLET: 20P)
- Interviews: Field and In-Custody (BLET: 09G)
- Law Enforcement Radio and Procedures (BLET: 07I)
- Responding to Victims and the Public (BLET:13Q)

Minor revisions were made to update information regarding the eyewitness identification reform act.

COMMISSION ACTION

ADMINISTRATIVE CODE: PROPOSED 2018 IN-SERVICE TRAINING TOPICS

On behalf of the Joint In-Service Committee, Bill DuBois, In-Service Training Coordinator for the North Carolina Justice Academy, appeared before the Committee to propose the 2018 In-Service Law Enforcement Training Topics based upon the recommendations of the Joint In-Service Training Committee and the Juvenile Minority Sensitivity Advisory Committee. The Joint In-Service Training Committee met on October 4, 2016, and the Juvenile Minority Sensitivity Advisory Committee met on September 14, 2016 to present topics for consideration and approval.

The Committee approved the recommendations as presented, and therefore recommends to the Commission that the Planning and Standards Committee conduct a rule making hearing for the 2018 In-Service Law Enforcement Training Topics as follows:

Required Topics (18 credits):

- 2018 Firearms Training and Qualification (minimum 4 credits)
- 2018 Legal Update (minimum 4 credits)
- 2018 Strategies to Improve Law Enforcement Interactions and Relationships With Minority Youth (minimum 2 credits)
- 2018 Equality in Policing (minimum 4 credits)
- 2018 Communication Skills With Persons in Crisis – De-escalation Techniques (minimum 4 credits)

Topics of Choice (8 credits):

- Law Enforcement Intelligence Update (minimum 2 credits)
- Leadership Through Community Partnership (minimum 2 credits)
- Officer Safety: Surviving Planned Attacks Against Law Enforcement Officers (minimum 4 credits)

(It should be noted that although the NC Justice Academy is preparing 26 hours of training, the 24 credits of mandated in-service training has not changed.)

Motion to approve by Commissioner Lee Farnsworth, with a **second** by Commissioner Steve Johnson, **motion carried**.

COMMITTEE ACTION

N.C. ASSOCIATION OF CHIEFS OF POLICE- REQUEST FOR PILOT AUTHORITY FOR ANNUAL TRAINING

On behalf of the N.C. Association of Chiefs of Police, Mr. Mark Strickland, Director, North Carolina Justice Academy, requested the approval of Pilot Authority to waive the General Instructor Certification requirement for the NC Association of Chiefs of Police to deliver training at their 2017 Annual Conference that would count towards credit for In-Service topic of choice. The North Carolina Justice Academy will host and coordinate these training sessions for the Association and a test will be given to attendees after each training session.

The Association will sponsor the following training sessions on January 21-25, 2017:

“CIT Response to Military Veterans in Crisis” being presented by Captain Blair Myhand;
 “Surviving Verbal Conflict® Verbal De-escalation” presented by Harry P. Dolan & Jose L. Lopez Sr.;
 “Body Worn Cameras, Civilian Recordings and Social Media” presented by Matt Dolan;
 “Leading Your Community in Challenging Times” presented by Tru Pettigrew;
 “NCACP President's Task Force Forum” presented by Michael Roosa, Chief Brandon Zuidema, Chief Barry Rountree & Chief David L. Hess; and
 “Developing a Police Chaplaincy Program” which will be presented by Ralph Thompson & Chief David L. Hess.

Commissioner Charles Walston proposed a **motion** to accept the recommendations as presented for the Committee Action, the motion was **second** by Commissioner Steve Johnson, **motion carried**.

INFORMATION ITEM

GENERAL INSTRUCTOR TRAINING

On behalf of the NC Justice Academy, Mark Strickland, Director, briefed the Committee on the development of an annual online Refresher Lesson Plan for instructors required in accordance with recent revisions to 12 NCAC 09B .0303(c) "Terms and Conditions of General Instructor Certification." Director Strickland reported the first lesson plan has been developed and is titled, "Developing Facilitation Skills." The block of instruction is designed to help the instructor generate a creative and innovative avenue in order to effectively facilitate knowledge and information in the learning environment by encouraging student participation.

COMMITTEE ACTION

SCHOOL ACCREDITATION SUBCOMMITTEE

On behalf of the School Accreditation Subcommittee, Deputy Director Trevor Allen, Criminal Justice Standards Division staff, recommended the accreditation and reaccreditation of the following institutions for a period of (5) years in accordance with 12 NCAC 09B .0200 and 12 NCAC 09C .0401 for the delivery of the Commission regulated training:

- Accreditation- Henderson County Sheriff's Office – Instructor Training
- Accreditation- South Piedmont Community College – SMI Training
- Accreditation- Wake County Sheriff's Office – SMI Training
- Re-Accreditation- Office of Staff Development & Training – Instructor Training
- Re-Accreditation - DACJJ – Corrections Specialized Firearms Instructor Training
- Re-Accreditation - DACJJ – Corrections Specialized CRDT Instructor Training
- Re-Accreditation - DACJJ – Specialized RCDT Instructor Training
- Re-Accreditation - DACJJ – Basic Correctional Officer Training
- Re-Accreditation - DACJJ – Basic Probation/Parole Officer Training
- Re-Accreditation - DACJJ – Basic Training – Juvenile Court Counselor & Chief Court Counselor
- Re-Accreditation -DACJJ – Basic Training – Juvenile Justice Officer

The Criminal Justice Standards staff has found the following institutions have met the standards for accreditation and recommend these institutions be accredited for 5 years for the delivery of Commission accredited courses.

Commissioner Steve Johnson proposed a **motion** to accept the recommendation as presented, with a **second** from Commissioner Nathan Mizzell, **motion carried.**

PROGRAM EVALUATION COMMITTEE

On behalf of the Program Evaluation Subcommittee, Deputy Director Trevor Allen, Criminal Justice Standards Division staff, reported the recommendation of re-certification of North Carolina Central University for its postsecondary criminal justice program, for a period of ten (10) years, in accordance with 12 NCAC 09B .0601-.0608.

The Program Evaluation Committee Certification for NC Central University, request the Committee to consider re-certification for NC Central University (NCCU) for its postsecondary criminal justice program, pursuant to 12 NCAC 09B .0601-.0608. On 10/24/16 the Program Evaluation Committee met to review NCCU's self-study report. The committee identified only a few minor issues requiring additional elaboration and/or correction. The committee unanimously agreed the identified issues were not significant enough to prevent NCCU from obtaining re-certification. Based on a determination that the conditions for the Program Evaluation Committee certification have been met, the committee voted to recommend re-certification for NCCU for 10 years.

Commissioner Nathan Mizzell proposed a **motion** to accept the recommendation as presented, with a **second** from Commissioner Lee Farnsworth, **motion carried**.

INFORMATION ITEM

FEDERAL LAW ENFORCEMENT COMMITTEE

On behalf of the Federal Law Enforcement Committee, Commissioner Steve Johnson, briefed the Committee with an update on the lateral transfer of Federal Law Enforcement officers. The Committee was provided with a handout which contained recommended amendments to 12 NCAC 09B .0403. The Committee was asked to review the provided recommendations, so the amendment to the rule could be considered for approval, as a Commission action, at the next scheduled meeting in February 2017.

Commission Johnson explained that the Committee is looking at having certain federal officers (1811 Series Evaluation) take a maximum of 234 hours during a BLET delivery. These federal officers' training programs will be evaluated by staff to determine the exact number of BLET course hours that they will need to take.

COMMISSION ACTION

ADMINISTRATIVE CODE: PROPOSED RULE REVISIONS – OSDT STAFF

On behalf of the Office of Staff Development and Training, Felicia Banks, North Carolina Department of Public Safety, proposed rule changes for 12 NCAC 09B .0235 (Basic Training: Juvenile Court Counselors and Chief Court Counselors) and 12 NCAC 09B .0236 (Basic Training: Juvenile Justice Officers). The requested changes include a reduction in the total curriculum hours. Additionally, the requested changes include the deletion of four (4) topical areas and the addition of four (4) topical areas within the Juvenile Justice Common Core Curriculum.

Having approved the recommendation as presented, Commissioner Charles Walston proposed a **motion** that the Commission authorize the Planning and Standards

Committee to conduct a rule making hearing to amend rules **12 NCAC 09B .0235 (Basic Training: Juvenile Court Counselors and Chief Court Counselors)** and **12 NCAC 09B .0236 (Basic Training: Juvenile Justice Officers)** as follows:

- Change the total hours in paragraph (a) and paragraph (e) of each rule to reflect 151 hours.
- Change paragraph (b), subparagraph (1), Juvenile Justice Common Core of each rule as follows:
 - (b)(1)(A) – Juvenile Justice Overview (Deleted)
 - (b)(1)(M) – Secure Transportation (Deleted)
 - (b)(1)(R) – Multi-Generational Workforce (Deleted)
 - (b)(1)(S) – Understanding Workplace Differences (Deleted)
 - (b)(1) – Trauma and Delinquents (Added)
 - (b)(1) – Driver and Secure Transport Safety (Added)
 - (b)(1) – DMC-Addressing DMC within the JJ System (Added)
 - (b)(1) – Verbal De-escalation for Juvenile Justice (Added)
- Change paragraph (b), subparagraph (2), Juvenile Justice Officer Specific of rule 12 NCAC 09B .0236 as follows:
 - (b)(2)(B) – Maintaining Documentation (Increase Hours from 6 to 8)
 - (b)(2)(D) – Crisis Intervention Techniques (Deleted)
 - (b)(2)(E) – Effective Behavior Management (Decrease Hours from 12 to 10)
 - (b)(2)(G) – Trauma and Delinquents (Deleted)
 - (b)(2) – Suicide Prevention and Response (Added)
- Change paragraph (b), subparagraph (2), Juvenile Court Counselor Specific of rule 12 NCAC 09B .0235 as follows:
 - (b)(2)(F) – Interviewing (Deleted)
 - (b)(2)(G) – Driver Safety (Deleted)

With a **second** made by Commissioner Kenneth Mullen, **motion carried.**

COMMITTEE ACTION

NC DEPARTMENT OF PUBLIC SAFETY - OSDT

On behalf of the Office of Staff Development and Training, Felicia Banks, North Carolina Department of Public Safety, proposed major and minor revisions to several lesson plans within the Basic Training – Juvenile Justice Common Core, Basic Training – Juvenile Justice Officer Specific, Basic Correctional Officer Training, and Basic Probation and Parole Officer Training. The major revisions are as follows:

Juvenile Justice Basic Training and Juvenile Justice Officer Specific

- 12 NCAC 09B .0235 & .0236 – Basic Training – Juvenile Justice Common Core

- (b)(1)(L) – Mechanical Restraints (revised lesson purpose & 1 objective)
- (b)(1)(P) – Basic Life Support: First Aid (revised 3 objectives)

Commissioner Nathan Mizell proposed a **motion** to accept the recommendations as presented, with a **second** from Commissioner Charles Walston, **motion carried**.

➤ 12 NCAC 09B .0236 – Basic Training – Juvenile Justice Officer Specific

- (b)(2)(F) – Health Services Overview (revised 1 objective)

Commissioner Kenneth Mullen proposed a **motion** to accept the recommendation as presented, with a **second** from Commissioner Charles Walston, **motion carried**.

Basic Correctional Officer Training

➤ Basic Correctional Officer Training

- North Carolina Prisons Employee (deleted 1 objective)
- You and the Law (revised 1 objective)
- Mechanical Restraints: Handcuffing (revised lesson purpose & 1 objective)
- Controls, Restraints and Defensive Techniques (revised hours from 20 to 22, added additional pressure points & the Guard Break technique)
- Basic Life Support: First Aid (revised 3 objectives)
- Management and Supervision of Inmates (revised 1 objective)
- Understanding Inmate Behavior (revised hours from 11 to 10 & added 2 new objectives)
- Understanding Security Risk Threat Groups (revised lesson purpose, added 1 new objective & revised 7 objectives)
- Multi-Generational Workforce (revised hours from 3 to 2)

Basic Probation and Parole Officer Training

➤ Basic Probation and Parole Officer Training

- ~~Probation Law: Arrest, Search and Seizure (revised lesson purpose)~~
- Case Management (revised 2 objectives)
- Drug Identifications (revised 4 objectives)
- Interstate Compact for Adult Offender Supervision (revised 1 objective)
- Role of Probation/Parole Witness (revised handouts)
- Basic Life Support: First Air (revised 3 objectives)
- Gang Awareness (revised 2 objectives)

Commissioner Robin Pendergraft questioned as to why the curriculum was changing the term “Violator” to “Offender” in the block of instruction, “Probation Law: Arrest, Search,

and Seizure,” Ms. Banks explained that this change was in accordance to changing terminology based upon language that is consistent to industry standards.

Commissioner Robin Pendergraft suggested that the Committee table the recommendation to modify the offender/violator terminology to allow further research and discussion. Commissioner Charles Walston proposed a **motion** to approve the request, Lee Farnsworth **second**. This motion included approving everything with the exception to modify the term violator to offender in the block of instruction, “Probation Law: Arrest, Search, and Seizure,” **motion carried**.

INFORMATION ITEMS

The minor revisions consist of revised verbiage, grammar, and formatting, updated statistics and statutes, added videos, reordered objectives, and other content updates. The following lesson plans contain minor revisions:

- 12 NCAC 09B .0235 & .0236 – Basic Training – Juvenile Justice Common Core
 - (b)(1)(B) – Basic Individual Counseling Skills
 - (b)(1)(D) – Working with Families
 - (b)(1)(E) – Characteristics of Delinquents
 - (b)(1)(H) – Staff and Juvenile Relationships
 - (b)(1)(I) – Gang Awareness
 - (b)(1)(J) – Situational Awareness/Risk Assessments
 - (b)(1)(G) – Career Survival
- 12 NCAC 09B .0236 – Basic Training – Juvenile Justice Officer Specific
 - (b)(2)(B) – Maintaining Documentation
 - (b)(2)(H) – Contraband and Search Techniques
 - (b)(2)(F) – Health Services Overview
- 12 NCAC 09B .0235 – Basic Training – Juvenile Court Counselor Specific
 - (b)(2)(D) – Risk and Needs Assessment
 - (b)(2)(E) – Report Writing and Documentation
- Basic Correctional Officer Training
 - Firearms Safety
 - Handgun Familiarization/Proficiency
 - Shotgun Familiarization/Proficiency
 - Low/Limited Light
 - Report Writing
 - Unlawful Workplace Harassment
 - Staff and Inmate Relations
 - Career Survival: Integrity and Ethics in the NCDPS
 - Prison Security Function & Procedures
 - Contraband and Techniques of Search
 - Hostage
 - Prison Emergencies: Prevention & Response

- Transporting Inmates
 - Basic Expandable Baton
 - Tactical Handcuffing
 - CRDT – Edge Weapon Defense
 - CRDT – Weapon Retention
 - Employee Fitness and Wellness
 - Basic Life Support: CPR
 - Cultural Awareness
 - Understanding Workplace Difference
- Basic Probation and Parole Officer Training
- Handgun Safety
 - Probation Law: Violations, Sanctions, Hearings
 - Probation Law: Arrest, Search, Seizure
 - Public Speaking
 - Targeting Offender Needs
 - Case Management
 - Drug Identification
 - Unlawful Workplace Harassment
 - Moot Court
 - Parole Violations/Revocations
 - De-Escalating Aggressive Behavior
 - Processing Probation Cases
 - Role of Probation/Parole Witness
 - Basic Life Support: CPR
 - Basic Life Support: First Aid
 - Employee Fitness and Wellness
 - Career Survival: Integrity and Ethics

Commissioner Charles Walston shared his transition into retirement as of January 1, 2017. He has 34 years of state service and has enjoyed serving. It was his passion which helped move things forward. Commissioner Robin Pendergraft congratulated him for his hard work on behalf of the state and Commission and the Commission appreciates his dedicated service.

Director Mark Strickland introduced a new addition to his staff, Vicki Helms, the new Administrative Assistant who has replaced former retired Darlene Jackson.

With no further business, meeting was adjourned at 2:45 p.m.